

WILKINSBURG BOROUGH COUNCIL MEETING
Legislative Session
December 21, 2011

CALL TO ORDER

Vice President Cohn called the meeting to order at approximately 7:03 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkinsburg, PA.

ROLL CALL

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre (out of the country and participating by telephone) Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Ms. Macklin and President Moore (recovering from surgery and participating by telephone). Also present were Mayor John Thompson, Marla P. Marcinko, Borough Manager and Matt Racunas, Esquire, from the Law Offices of Patricia McGrail, L.L.C., and Borough Solicitor. A quorum was established.

Ms. McCarthy-Johnson arrived at approximately 7:04 p.m.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATION

- **Citizens' Advisory Committee on Shade Trees**
 - **John Metzler Memorial Bench**

Kelly Ogrodnik presented a request, on behalf of the Citizens' Advisory Committee on Shade Trees, to honor John Metzler with a memorial at the Municipal Building. Ms. Ogrodnik described John's work in the community since 2007. Ms. Ogrodnik is proposing the planting of a tree and the installation of a bench, sculpted from wood, and requested Council's support. Ms. Evans commented that she had attended tree plantings with John and is supportive of the project contingent upon following the process through the Wilkinsburg Community Art and Civic Design Commission and that the installation is congruent with long-term plans for the overall landscaping in front of the municipal building. Mr. Cohn expressed agreement with the plan and inquired as to the project cost. Ms. Ogrodnik stated that the cost would be approximately \$600.00. Ms. Evans commented that Council had allocated monies for landscaping in the 2012 budget and the process to be followed for approval by the WCACDC. Ms. Marcinko described the process for Wilkinsburg Community Art and Civic Design Commission review.

A motion was made by Ms. Evans, second by Ms. Ervin, to authorize the use of public property for the purpose of installing a memorial bench and tree to honor John Metzler which shall be consistent with the overall landscaping plan for the Municipal Building which is planned for next year.

**Borough of Wilkinsburg
Council Legislative Meeting
December 21, 2011**

Ms. Macklin questioned whether the design will be presented to Council for approval. Ms. Evans responded that the final design approval rests with the Wilkinsburg Community Art and Civic Design Commission. Ms. Macklin commented that she would not be in favor of the project if Council does not have final design approval.

Yes: Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Macklin, President Moore

Mr. Lefebvre did not vote as the telephone connection was lost.

Motion carried

PUBLIC COMMENT

None at this time.

ORDINANCES ON FIRST READING

Ordinance No. 2884

Establishing a stop intersection on Kelly Ave. at Hay Street

Moved: Ms. Evans

Second by: Ms. Trice

Yes: Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Macklin, Mr. Lefebvre, President Moore

Motion carried

ORDINANCES ON SECOND READING

Ordinance No. 2882

Establishing the tax rate for Fiscal Year 2012

Moved: Ms. McCarthy-Johnson

Second by: Ms. Evans

Ms. Macklin questioned whether the allocation of total millage to General Purposes, Library and Debt Service had changed. Ms. Marcinko advised that it had not.

Yes: Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Lefebvre, Ms. Ervin, President Moore

Motion carried

**Borough of Wilkinsburg
Council Legislative Meeting
December 21, 2011**

**Ordinance No. 2883
Establishing Handicap Parking Space – 1121 Wallace Ave.**

Moved: Ms. Ervin

Second by: Ms. Evans

Yes: Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Cohn, Ms. Trice, Ms. Evans, Ms. Ervin, Mr. Lefebvre, President Moore

Motion carried

RESOLUTIONS

11-102

Adopting the 2012 Municipal Budget

A motion was made by Ms. Evans, second by Ms. McCarthy-Johnson, to adopt the 2012 budget with an amendment that the salaries for department directors, and the administrative assistant, be increased by a 2% COLA and that the Borough Manager's salary be increased by an additional 2% as a merit increase.

Ms. Macklin questioned whether the percentage contribution to the employees' deferred compensation plan would be adjusted in accordance with the proposed salary adjustment. Ms. Marcinko advised that no adjustments were made to the deferred compensation percentage contributions since the preliminary budget presented in November. Ms. Macklin asked if Ms. Evans would accept a friendly amendment. Ms. Evans responded that she would not at this point.

Yes: Ms. McCarthy-Johnson, Mr. Cohn, Mr. Lefebvre, Ms. Evans, President Moore

No: Ms. Macklin, Mr. Lewis, Ms. Trice, Ms. Ervin

During the voting, Ms. Trice stated that she does not believe that the Borough can afford the salary increases for management. She further stated that she approves of the rate increases for school crossing guards, part-time police officers and seasonal workers. She commented about the 29% increase in health care costs and the impact on the budget.

Motion carried 5:4

11-103

Approving the Borough Council Meeting Minutes of November 2 and November 16, 2011.

Moved: Mr. Lewis
Johnson

Second by: Ms. McCarthy-

**Borough of Wilkinsburg
Council Legislative Meeting
December 21, 2011**

Yes: Ms. McCarthy-Johnson, Mr. Lewis, Mr. Cohn, Ms. Trice, Ms. Evans, Ms. Ervin, Mr. Lefebvre, Ms. Macklin, President Moore

Motion carried

11-104

Approving the November Checks Issued in the amounts as follows:

Regular Distributions 11/01/11 – 11/30/11	\$ 698,424.87
Payroll Disbursements	\$ 255,521.50
Voided Checks	\$ (-0-)
Total	\$ 953,946.37

Moved: Ms. McCarthy-Johnson

Second by: Mr. Lefebvre

Yes: Ms. Evans, Mr. Cohn, Ms. McCarthy-Johnson, Mr. Lefebvre, President Moore

No: Ms. Trice, Mr. Lewis, Ms. Macklin, Ms. Ervin

Motion carried 5:4

11-105

Establishing Sewer Fees

The ALCOSAN basic service charge shall be increased from \$4.04 to \$4.32 for each thousand gallons of water used.

The ALCOSAN service charge shall be increased from \$8.48 to \$9.07 for each account per each bill issued.

The Wilkinsburg Borough surcharge shall be increased from \$1.19 to \$1.50 for each thousand gallons of water used.

Moved: Mr. Lewis
Johnson

Second by: Ms. McCarthy-

Yes: Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Mr. Lefebvre, President Moore

No: Ms. Macklin

Motion carried 8:1

**Borough of Wilkinsburg
Council Legislative Meeting
December 21, 2011**

11-106

Appointing Ralph Watson to the Planning Commission to fill the unexpired term of Amiena Mahsoob which will continue through December 31, 2012.

Moved: Ms. Trice

Second by: Mr. Lewis

Ms. McCarthy-Johnson questioned whether the Planning Commission considered any other Talent Bank Applications. Ms. Trice responded that the decision doesn't rest with the Planning Commission or its chairperson, the decision rests with the Personnel Committee which is comprised of elected officials. Ms. McCarthy-Johnson questioned whether all board and commission appointments are first considered by the Personnel Committee and Ms. Trice stated that to be the case. Ms. McCarthy-Johnson questioned whether the respective boards and commissions, wherein the vacancy exists, are consulted. Ms. Trice advised that they are not. Ms. McCarthy-Johnson questioned whether the board and commission members can make recommendations and Ms. Trice replied that recommendations can be made. Mr. Lefebvre questioned who attended the last Personnel Committee meeting with Ms. Trice responding that the meeting was attended by Ms. Trice, Ms. Evans, and Ms. Macklin. Mr. Lefebvre further questioned how many Talent Bank Applications were reviewed by the Personnel Committee for the Planning Commission. Ms. Trice answered that one application was reviewed. Mr. Lefebvre inquired as to the status of the rest of the applications. Ms. Trice advised that the applicant being recommended has previously served on the Planning Commission and was chairperson at one time. Mr. Lefebvre asked if Ms. Evans and Ms. Trice were both in agreement. President Moore questioned whether the applications were reviewed as a group and commented that normally all of the applications would be reviewed, screened and a selection made. Ms. Trice commented that the applicant in this case was qualified. President Moore questioned if the Talent Bank Applications were reviewed by the Committee or the chairperson. Ms. Trice advised that the applications were reviewed by the chairperson. Ms. Evans commented she has previously recommended that all vacancies be advertised and a process be established and followed for appointments. Ms. Evans recommended holding off on the appointment until all vacancies can be advertised. Ms. Evans commented that the advertisement does not necessarily have to be a paid advertisement and that a press release can be issued at no cost and that there are additional outlets by which to get the word out. Mr. Cohn commented that the chairperson should not make decisions for the committee. He commented that historically the process for making appointments has been poor and that needs to improve in going forward. He further commented that there is no immediate need to make the appointment. President Moore questioned why there is so much conflict over this appointment. Ms. McCarthy-Johnson commented that she too has had concerns about the process in making appointments and that the boards and commissions should weigh in on the selection process. Mr. Lefebvre commented that a number of people have expressed interest in serving on the Planning Commission and expressed that he is not comfortable with the chairperson making the decision. Ms. Trice commented that the same process was followed a month ago with another appointment. Mr. Lefebvre commented that he

**Borough of Wilkinsburg
Council Legislative Meeting
December 21, 2011**

too was not comfortable with the selection process. President Moore questioned the number of applications which were available for review. Ms. Trice responded that there were eight applications. President Moore asked if all eight applications were reviewed at the committee meeting and Ms. Trice advised that they were not. President Moore inquired as to why that was the case. Ms. Trice advised that she recommended the appointment and asked Ms. Evans if there was any objection. Ms. Evans' response was that she did not have an objection to the appointment at that time. Ms. Ervin proposed to work on the process in going forward and suggested taking action on the proposed appointment. Ms. Evans commented that she has continually expressed concern regarding the process. Mr. Lewis commented that he doesn't recall any input received in the past from boards and commissions for appointments. Ms. Trice commented that there were no objections to the appointments to the Community Arts and Civic Design Commission. President Moore commented that Council is not looking at the whole picture and that this matter has become too divisive. Ms. Marcinko was asked to clarify the process followed for prior appointments to the Shade Tree Committee and the Community Arts and Civic Design Commission. Ms. Marcinko commented that the appointments for the CACDS were presented to the Personnel Committee by the Office of Public Art at a meeting and the most recent appointment to the Shade Tree Committee was made after a recommendation from that Committee for the appointment of an individual who was serving in an unofficial capacity on the Committee for some time.

A motion was made by Ms. Evans, second by Mr. Lefebvre, to table the motion until Council has a chance to advertise the vacancy next year.

Yes: Mr. Cohn, Ms. McCarthy-Johnson, Mr. Lefebvre, Ms. Evans

No: Ms. Trice, Mr. Lewis, Ms. Macklin, Ms. Ervin, President Moore

Motion failed 4:5

11-106

Appointing Ralph Watson to the Planning Commission to fill the unexpired term of Amiena Mahsoob which will continue through December 31, 2012.

Yes: Ms. Trice, Mr. Lewis, Ms. Macklin, Ms. Ervin, President Moore

No: Mr. Cohn, Ms. McCarthy-Johnson, Mr. Lefebvre, Ms. Evans

During the voting, Mr. Cohn commented that he was not voting in favor of the motion over concerns regarding due to process, that policy was disregarded and eight other interested applicants were not considered. Mr. Lefebvre stated that he was not voting in favor of the motion as all applicants were not given a fair opportunity.

Motion carried 5:4

**Borough of Wilkinsburg
Council Legislative Meeting
December 21, 2011**

President Moore commented about the need to look at the selection process in 2012. Ms. Trice commented that the Talent Bank Applications she has received are not all for Planning Commission appointments.

NEW BUSINESS

Ms. McCarthy-Johnson thanked everyone who participated in the Wilkinsburg Toy Drive and the food drive for Wilkinsburg Community Ministry.

President Moore expressed wishes for a happy holiday to all.

Mr. Lewis thanked the residents and expressed his pleasure to have served two terms. He further thanked his colleagues for the wonderful learning experience. He commented on new opportunities ahead. President Moore thanked Mr. Lewis for his work and commitment to Council and wished him good luck with his future endeavors. Mr. Lewis thanked President Moore. He expressed his hope for greater cooperation between elected officials in going forward. He commented that he believes all are working toward common goals and that there are disagreements as to how to get there.

ADJOURNMENT

Being no further business, on motion by Mr. Lewis; second by Ms. McCarthy-Johnson the meeting was adjourned at approximately 7:53 PM.

Eugenia Moore, Council President